

## REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-26 are pending in this application. Claims 1, 5, 9, 13, 17, 21, 25 and 26 are independent. Claims 1, 5, 9, 13, 17, 21, 25 and 26 have been amended. Support for this amendment is provided throughout the Specification as originally filed and specifically at pages 21-22. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

### II. REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 1-8 and 17-25 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over European Patent No. EP 0 859 323 to Suzuki (hereinafter, merely “Suzuki”), in view of PCT Publication No. WO 97/27698 to Smolen (hereinafter, merely “Smolen”).

Claim 1, recites, *inter alia*:

“An image-processing apparatus comprising:

....

capture command means for inserting into the packet a capture command which includes a set of parameters that define a still-picture derived from

said generated image data, said parameters describing image-type data representing a format of the still-picture data, said still-picture data defining said still-picture; and

means for transmitting said packet to a printing apparatus to print the still-picture defined by said parameters.”

As understood by Applicants, Suzuki relates to a host computer that logs in an image providing device and reverses the flow of data transfer by issuing a reverse command. the image providing device opens a transfer channel by a specific command. When the transfer of the image data is completed, the image providing device closes the transfer channel by another specific command and reverses the flow control of the data transfer again by the reverse command.

As understood by Applicants, Smolen relates to a system where a viewer can print a particular image displayed on a video by pressing a print button on a control which causes a processor to actuate a video import device and to freeze and store the desired image. The computer then actuates a printer that prints the image.

Applicants submit that combining Suzuki and Smolen does not teach or suggest, capture command means for inserting into the packet a capture command which includes a set of parameters that define a still-picture derived from the generated image data, the parameters describing image-type data representing a format of the still-picture data, the still-picture data defining the still-picture, and means for transmitting the packet to a printing apparatus to print the still-picture defined by the parameters, as recited in claim 1.

Therefore, claim 1 is deemed patentable.

For reasons similar to or somewhat similar to those described above with regard to independent claim 1, amended independent claims 5, 17, 21 and 25 are also believed to be patentable.

### III. REJECTIONS UNDER 35 U.S.C. § 102(b)

Claims 9-16 and 26 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by Suzuki.

Claim 9 recites, *inter alia*:

“A printing apparatus comprising:

....

said capture command includes a set of parameters that define a still-picture derived from said generated image data.” (emphasis added)

Applicants submit that Suzuki does not teach or suggest a capture command that includes a set of parameters that define a still-picture derived from said generated image data, as recited in claim 9.

Therefore, claim 9 is deemed patentable.

For reasons similar to or somewhat similar to those described above with regard to independent claim 9, amended independent claims 13 and 26 are also believed to be patentable.

### IV. DEPENDENT CLAIMS

The other claims are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the above-identified reasons. Since each dependent claim is also deemed to define an additional aspect of the invention,

however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

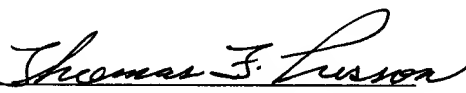
**CONCLUSION**

Reconsideration and allowance of this application are requested. In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference providing the basis for a contrary view.

Please charge any fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By   
Thomas F. Presson  
Reg. No. 41,442  
(212) 588-0800